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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Case No.: C 07 0486 EDL

**STIPULATED REQUEST FOR
DISMISSAL WITHOUT PREJUDICE OF
DEFENDANT F&M ENGINEERING
CONTRACTORS, INC. And
[PROPOSED] ORDER THEREON**

BOARD OF TRUSTEES OF THE CEMENT
MASONS HEALTH AND WELFARE TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS VACATION-HOLIDAY TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS PENSION TRUST FUND FOR
NORTHERN CALIFORNIA; and BOARD OF
TRUSTEES OF THE CEMENT MASONS
TRAINING TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

vs.

F & M ENGINEERING CONTRACTORS,
INC., a California corporation; and CLETUS
MARION McCONVILLE, an Individual,

Defendants.

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING

TRUST FUND FOR NORTHERN
CALIFORNIA,

Case No.: C-07 0487 EDL

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2 Plaintiffs,
3
4 vs.
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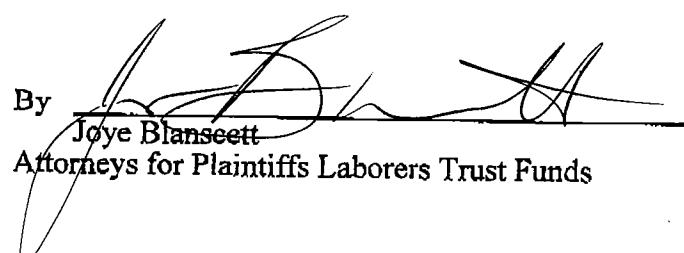
6 F & M ENGINEERING CONTRACTORS,
7 INC., a California corporation; and CLETUS
8 MARION McCONVILLE, an Individual,
9

10 Defendants.
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13 IT IS HEREBY STIPULATED by and between Plaintiffs Board of Trustees of the
14 Laborers Health and Welfare Trust Fund for Northern California, Board of Trustees of the
15 Laborers Vacation-Holiday Trust Fund for Northern California, Board of Trustees of the
16 Laborers Pension Trust Fund for Northern California and Board of Trustees of the Laborers
17 Training and Retraining Trust Fund for Northern California, and Defendant Cletus Marion
18 McConville that Defendant F&M Engineering Contractors, Inc., be dismissed from the above-
19 captioned matter without prejudice. Defendant F&M Engineering Contractors, Inc., has not
20 appeared in this action and is currently in bankruptcy.
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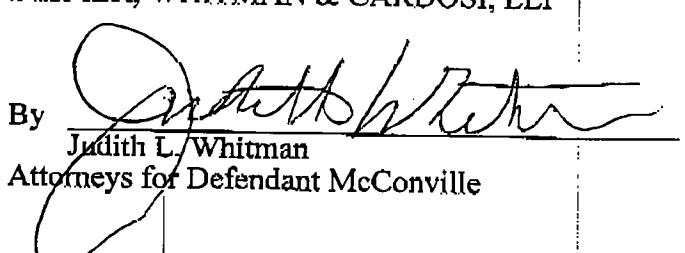
22 DATED: August 7, 2007
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25 BULLIVANT HOUSER BAILEY PC
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27 By 
28 Joye Blanseeitt
29 Attorneys for Plaintiffs Laborers Trust Funds
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31 DATED: August 7, 2007
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34 DIEMER, WHITMAN & CARDOSI, LLP
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36 By 
37 Judith L. Whitman
38 Attorneys for Defendant McConville
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[proposed] ORDER

IT IS SO ORDERED that Defendant F&M Engineering Contractors, Inc., is dismissed without prejudice.

DATED: August 13, 2007

A circular seal of the Northern District of California. The outer ring contains the text "UNITED STATES DISTRICT COURT" at the top and "NORTHERN DISTRICT OF CALIFORNIA" at the bottom. In the center is a red rectangular box with a black border. Inside the box, the words "IT IS SO ORDERED" are printed in a serif font. Below this, a blue ink signature of "Elizabeth D. Laporte" is written over the name "Judge Elizabeth D. Laporte".